

REMARKS

Claim Rejections - 35 U.S.C. § 103

Claims 1-3, 5-7, and 27-32 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,363,421 issued to Barker et al. (*Barker*) in view of U.S. Patent No. 6,065,053 issued to Nouri, et al. (*Nouri*) and further in view of U.S. Patent No. 6,738,388 issued to Stevenson et al. (*Stevenson*). For at least the reasons set forth below, Applicant submits that claims 1-3, 5-7, and 27-32 are not rendered obvious by *Barker*, *Nouri*, and *Stevenson*.

Claims 1-3 and 5-7

Independent claim 1 recites, in a salient portion, the following:

determining a current operating state of said client device;
automatically determining whether execution of said specified control operations are permitted while said client device is in said determined operating state;
automatically executing said specified control operations if said execution has been determined to be permitted.

The Office action states that *Barker* fails to disclose determining whether execution of said specified control operations are permitted while said client device is in said determined operating state. Applicant agrees with the Examiner's characterization of *Barker*. *Nouri* is cited as disclosing the deficient limitations. *Nouri* discusses a remote access system that provides administrators the ability to learn why a system failed and control certain functions of the system from a remote station. See column 3, lines 45-60. The cited portion of *Nouri* merely discusses in more detail the ability of the administrator to control certain functions from a remote station using a "fly by wire" capability of the microcontroller network. Column 6, lines 45-52. The disclosure in *Nouri* that describes allowing an administrator to control certain functions of a system from a remote station does not read on the recitation of automatically determining whether execution of specified control operations is permitted on a client device in a particular

operating state, as recited in claim 1. Thus, Applicant submits *Nouri* fails to cure the deficiencies of *Barker* in claim 1.

Stevenson is cited as disclosing a control system that automatically updates the dynamic and static parameters of a shadow function block. Whether or not *Stevenson* actually disclose the limitations cited in the Office action, *Stevenson* does not teach or disclose determining whether execution of said specified control operations are permitted while said client device is in said determined operating state. Thus, *Stevenson* fails to cure the deficiencies of *Barker* and *Nouri*. Therefore, Applicant respectfully submits claim 1 is not obvious in view of *Barker*, *Nouri*, and *Stevenson*.

Claims 2-3 and 5-7 depend from claim 1. Given that dependent claims necessarily include the limitations of the claims from which they depend, Applicant submits that claims 2-3 and 5-7 are not rendered obvious by *Barker*, *Nouri*, and *Stevenson* for at least the reasons set forth above.

Claims 27-32

Independent claim 27 recites, in a salient portion, the following:

a network controller coupled to the alert module to transmit the alert packet to an alert proxy that is external to the client device and to automatically receive a hardware-specific data control packet from the alert proxy in response to the transmission of the alert packet, the data control packet comprising one or more specified control operations to be automatically performed on the client device when the client device is in an unresponsive state.

Thus, Applicant claims receiving a data control packet comprising one or more operations to be automatically performed on the client device when the device is in an unresponsive state.

The Office action states that neither *Barker* nor *Nouri* discloses automatically receiving a hardware-specific data control packet from the alert proxy in response to the transmission of the alert packet. Thus, neither *Barker* nor *Nouri* can teach or disclose that the hardware-specific data

control packet comprises one or more operations to be automatically performed on the client device when the device is in an unresponsive state. *Stevenson* is cited as teaching the deficient limitations. However, *Stevenson* does not teach or disclose a hardware-specific data control packet comprising one or more operations to be automatically performed on the client device when the device is in an unresponsive state. Thus, *Stevenson* fails to cure the deficiencies of *Barker* and *Nouri*. Therefore, Applicant respectfully submits claim 27 is not obvious in view of *Barker*, *Nouri*, and *Stevenson*.

Claims 28-32 depend from claim 27. Given that dependent claims necessarily include the limitations of the claims from which they depend, Applicant submits that claims 28-32 are not rendered obvious by *Barker*, *Nouri*, and *Stevenson* for at least the reasons set forth above.

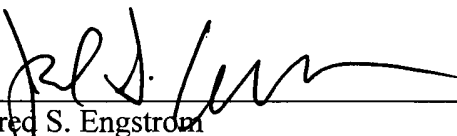
Conclusion

In view of the amendments and remarks set forth above, Applicant submits claims 1-3, 5-7, and 27-32 are in condition for allowance and such action is respectfully solicited. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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